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FAX COVER SHEET

Date: January 4, 2006
Fax: (571) 273-8300
To: U.S. Patent and Trademark Office
From: Brian C. Kunzler
Re: 10/776,943

Number of Pages including cover: 3

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Attorney for ApplicantPATENT
Docket No. SJO920030045US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brian R. McClain et al.

Serial No.: 10/776,943

Filed: February 11, 2004

Group Art
Unit: 3634For: **APPARATUS AND SYSTEM FOR VERTICALLY
STORING COMPUTING DEVICES**

Examiner: Jared W. Newton

RESPONSE TO OFFICE ACTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner:

In response to the Office Action mailed on October 13, 2005 and December 23, 2005, with respect to the Restriction Requirement Applicant elects group I, claims 1-12 and provisionally elects species A shown in Figs. 2a-2c, Claims 1-3, 5, 7, and 9-12.

Claim 1 is a generic linking claim. The upper support is recited in each other independent claim, although more specifically. The mounting mechanism allowing upper support to transition between access position and a vertical storage position is likewise cited in each of the other independent claims though in a more specific fashion. Accordingly, Applicant believes the restriction requirement to be improper and respectfully traverses the restriction requirements.

Should additional information be required, the Examiner is respectfully asked to notify Applicant of such need. If any impediments to the prompt allowance of the claims can be resolved by a telephone conversation, the Examiner is respectfully requested to contact the undersigned.

Respectfully submitted,



Brian C. Kunzler
Reg. No. 38,527
Attorney for Applicant

Date: January 4, 2006

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